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3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF CALIFORNIA**
5

6 **DAVID W. WILSON,**

7 **Plaintiff,**

8 **v.**

9 **THERESA CISNEROUS, et al.,**

10 **Defendants.**
11

CASE NO. 1:21-cv-01455-AWI-EPG (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND
REQUIRING PLAINTIFF TO PAY
FILING FEE IN FULL WITHIN
THIRTY DAYS**

(Doc. Nos. 6 & 11)

12
13 Plaintiff David W. Wilson is a state prisoner proceeding pro se with this action. The
14 matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and
15 Eastern District of California Local Rule 302.

16 On October 1, 2021, the assigned magistrate judge entered findings and recommendations,
17 recommending that this Court deny Plaintiff's application to proceed in forma pauperis (Doc. No.
18 6) under 28 U.S.C. § 1915(g), and direct Plaintiff to pay the \$402 filing fee in full if he wants to
19 proceed with this action. Doc. No. 11 at 5. Plaintiff was provided an opportunity to file
20 objections to the findings and recommendations, and did so on October 25, 2021. Doc. No. 16.

21 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a
22 de novo review of this case. Having carefully reviewed the entire file, including Plaintiff's
23 objections, the Court concludes that the findings and recommendations are supported by the
24 record and by proper analysis.
25

26 **ORDER**

27 Accordingly, IT IS HEREBY ORDERED that:

28 1. The findings and recommendations (Doc. No. 11) that were issued on October 1,

2021, are ADOPTED in full;

2. Pursuant to 28 U.S.C. § 1915(g), Plaintiff's application to proceed in forma pauperis (Doc. No. 6) is DENIED;

3. If Plaintiff wants to proceed with this action, **Plaintiff shall pay the \$402 filing fee in full within thirty days of the date of service of this order**; and

4. If Plaintiff fails to pay the filing fee in full within thirty days, this action will be dismissed without prejudice and without further notice.

IT IS SO ORDERED.

Dated: November 3, 2021



SENIOR DISTRICT JUDGE